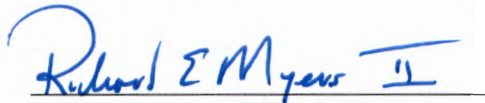


the face of the complaint. Custis, 851 F.3d at 361 (citing Anderson v. XYZ Corr. Health Servs., Inc., 407 F.3d 674, 682 (4th Cir. 2005)). Plaintiff acknowledges he has not exhausted his administrative remedies through step three of the inmate grievance resolution procedures as required before filing suit. (Compl. [D.E. 1] at 11); see also DAC, Policy & Procedure Manual, Subchapter G, § 0300 et seq., available at <https://public.powerdms.com/NCDAC/tree/documents/2145373>; see also Moore, 517 F.3d at 721 (describing policy).¹

CONCLUSION

Based on the foregoing, this action is DISMISSED WITHOUT PREJUDICE. Plaintiff's motions for discovery [D.E. 14], and for counsel and for ruling [D.E. 15] are DENIED AS MOOT. The clerk is DIRECTED to close the case.

SO ORDERED, this the 16th day of April, 2025.


RICHARD E. MYERS, II
Chief United States District Judge

¹ The ARP is a publicly available governmental record, the authentication of which is not questioned by the parties. Accordingly, the court may take judicial notice of the policy in its initial review of the complaint. See Philips v. Pitt Cnty. Mem'l Hosp., 572 F.3d 176, 180 (4th Cir. 2009); Fauconier v. Clarke, 652 F. App'x 217, 220 n.4 (4th Cir. 2016).